

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In re:)	
)	
GARRETT G. HOLLMAN,)	Case No. 09-13376-BFK
)	Chapter 7
Debtor.)	

**TRUSTEE’S MOTION TO APPROVE SALE OF ESTATE ASSET
TO DALE WEED**

Klinette H. Kindred, Chapter 7 Trustee, (“Trustee”), by and through undersigned counsel, pursuant to 11 U.S.C. Sec. 363(b) and F.R. Bankr.P.6004, moves this Court for an Order approving the Trustee’s sale of Estate Assets to Dale Weed, as follows:

1. This case was originally filed as a Chapter 11 case, and was converted to one under Chapter 7 on September 1, 2010.
2. Klinette H. Kindred is the duly qualified and acting Chapter 7 Trustee, having been appointed by Order of this Court on October 12, 2010.
3. Madeline A. Trainor was appointed as counsel for the Trustee by Order of this Court on February 3, 2011.
4. The Debtor, Garrett Hollman listed an asset on his bankruptcy schedules described as the following:

“ All claims and causes of action- including but not limited to, claims for fraud, imposition of a constructive trust, cancellation of indebtedness and any compensatory and/or punitive damages – that may exist against Dale Weed, Brook Gilliam, Paul Lucas and/or others arising out of or in connection with any pre-petition business relationships between the debtor and any or all of said parties, including, but not limited to, claims arising

in connection with the disposition of Debtor's membership interests in 1941 LLC, 323 LLC and/or 1901 LLC.

5. The Chapter 7 Trustee has succeeded by operation of law as owner of the Debtor's non-exempt assets, including this described asset.
6. Dale Weed has offered to pay to Klinette H. Kindred, the Chapter 7 trustee, the sum of \$3,000.00 (Three Thousand Dollars and No Cents) to purchase this asset.
7. In exchange for \$3,000.00 paid to the Estate, Klinette H. Kindred will sell, grant, convey, assign and transfer all her Chapter 7 Trustee rights, title and interest against Dale Weed, Brook Gilliam, Paul Lucas and/or others in the above-referenced asset to Dale Weed.
8. The Trustee has entered into an Agreement, the terms of which reflect the agreement between the parties (executed copy attached as Exhibit "1")
9. The sale is subject to Bankruptcy Court approval.
10. In the Trustee's opinion and business judgment, this sale is in the best interest of the creditors and the estate.

WHEREFORE, the Trustee prays for entry of an Order of this Court approving the Sale of this Asset to Dale Weed pursuant to the terms of the executed Agreement, and for such other and further relief as the Court deems appropriate.

October 7, 2011

Respectfully submitted,

Klinette H. Kindred
Chapter 7 Trustee

By Counsel

/s/ Madeline A. Trainor

Madeline A. Trainor, Esq. (VSB #18531)

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Counsel for Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2011, a true copy of the foregoing Motion was served by email or first class mail to all creditors and other parties in interest as maintained on the service list attached hereto.

/s/ Madeline A. Trainor

Madeline A. Trainor, Esq. (VSB #18531)